

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

## **ORDER**

Before the court is the defendant, Computer Associates International, Inc.'s Motion to Vacate, filed on May 4, 2005 (docket entry no. 92). In this motion, the defendant requests the court to vacate an order previously entered herein, imposing sanctions for violation of an order of this court. The motion recites that plaintiff does not object to the motion or to the vacation of the sanction award in his favor.

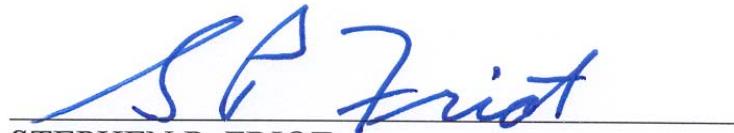
The imposition of sanctions in the circumstances under which sanctions were imposed in this case is not entirely a private matter between the litigants. For that reason, payment of the amount required to be paid by the order imposing sanctions does not constitute, on the facts now before the court, an adequate ground for vacation of the sanctions order.

The court also notes that the motion recites that, if the sanctions order is not vacated, the result would be that defendant would have to inform various third parties, in various contexts, of the fact that it had been sanctioned. This appears to presuppose that the mere vacation of the sanctions order would absolve the defendant of any

obligation to disclose that it had been sanctioned in a judicial proceeding. Aside from the dubiousness of that proposition, the court concludes that the prospect of required disclosure of the sanctions order to third parties in the future does not provide a basis for vacating the order. To cite but one example, if the defendant should hereafter disregard an order of a court as clearly as it did in this case, it would be entirely appropriate that that court be made aware that the offense before it is not the defendant's first such offense.

The motion is **DENIED**.

DATED May 5, 2005.



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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

03-1651P027 (PUB) .WPD